

**ENTERED**TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed May 21, 2007

Barbara J. Houser
United States Bankruptcy Judge

BTXN 057 (rev. 10/02)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

In Re:
Avia Energy Development, LLC

Avia Energy Development, LLC et al.

vs.
Carlos Francisco Navarro et al.

Debtor(s)

Plaintiff(s)

Defendant(s)

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Case No.: 05-39339-bjh11

Chapter No.: 11

Adversary No.: 05-03658-bjh

ORDER DENYING MOTION FOR WANT OF PROSECUTION

The Court, after review of the file and docket in the above entitled and numbered case, finds that on January 20, 2006, Avia Energy Development, LLC, Avia de Mexico S. de R.L. de C.V., James C. Musselman filed a Motion for Summary Judgment.

The Court also finds that more than forty-five (45) days have passed since the filing of this Motion and that:

☐ a Certificate of No Objection has not been filed with respect to the Motion as required by N.D. TX L.B.R. 9007.1(d).

☒ no hearing has been requested.

☐ Other:

The Court finds that insufficient action has been taken to obtain the relief sought. It is, therefore

ORDERED that the Motion is **DENIED** for want of prosecution without prejudice to refiling.

End of Order